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ABSTRACT

As teacher associations and unions have increased in number and strength, superintendents and education boards have had to devote more time to the process of negotiations. In the winter and spring of 1989, 400 questionnaires were mailed to a random national sample of school superintendents to examine the following areas dealing with negotiations between education boards and teacher organizations: (1) the board's negotiating team composition; (2) the school superintendent's role; (3) the advantages and disadvantages of board member participation in negotiations and the resulting situations; and (4) the relationship between these factors, school district size, and whether teachers have gone on strike. A total of 246 questionnaires were returned representing 46 states. The results, some of which were compared with a 1970 study that asked a few of the same questions, indicate that school district size was significant in whether board members should be on the bargaining team; the superintendent's number of years of experience was important in determining whether he or she was on the negotiating team and whether the teacher association tried to cause conflict between the negotiator and the board; and a relationship existed between strikes and whether the teachers tried to bypass the board's negotiating team. (23 references) (Author/KM)

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The Role of the Superintendent And School Board in Collective Bargaining

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The Role of the Superintendent And School Board in Collective Bargaining

ABSTRACT

A national study of school superintendents was conducted to examine the following areas dealing with negotiations between boards of education and teacher organizations: the composition of the board's negotiating team, the role of the school superintendent, the advantages and disadvantages of having board members participate in negotiations, the situations which occur as a result of having board members negotiate, and the relationships, if any, between these factors and the size of the district and whether teachers have gone on strike. Some of the results were compared with a 1970 study which asked some of the same questions. A questionnaire was sent to a random sample of superintendents throughout the country (N=400). The results indicated that the size of the district was significant in whether board members should be on the bargaining team. Also, the years of experience as a superintendent was significant in whether the superintendent was on the negotiating team and whether the teacher association tried to cause conflict between the negotiator and the board. Finally, there was a significant relationship between strikes and whether the teachers tried to bypass the board's negotiating team.

INTRODUCTION

Collective bargaining is on the agendas of most superintendents today. As teacher associations and unions have increased in number and strength, superintendents and boards of education have had to devote more time to the process of negotiations.

The University of Akron and the American Association of School Administrators (AASA) conducted a national study, asking school superintendents their opinions on the topic of collective bargaining: the role of the superintendent, the composition of the board's bargaining team, the choice of the chief spokesman for the board, the advantages and disadvantages of having board members negotiate, and the frequency of teacher strikes.

The role of the superintendent in negotiations has been debated from the beginning of school negotiations to the present time. The superintendents' national organization itself (AASA) suggested in 1961 that the role should be "an independent third party" (AASA, 1961), and in 1968 the organization said that the superintendent should be a "consultant for both groups" (AASA, 1968). Others have suggested that the superintendent serve in a "transactional" role and not identify with either the board or the teachers (Getzels, 1968), or have suggested that the superintendent

"provide information..., help clarify issues, and otherwise stimulate both groups..." (NEA, 1963).

Some writers have stated that having the superintendent negotiate for the board makes the superintendent "an adversary of the professional staff," reducing his/her effectiveness in areas such as curriculum leadership (Stinnett, 1966). Campbell and Cunningham stated specifically that "in most cases, the superintendent can become the spokesman for neither group" (Campbell, 1965). Others also agree that putting the superintendent at the negotiations table places him/her in an adversarial setting, making the superintendent the "bad guy" (Ficklen, 1985 and Gaswirth, 1986).

On the other hand, a few suggested that the superintendent should negotiate for the board in order to prevent loss of control over the educational system (Crespy, 1981). And, in two studies of negotiations in Ohio, the superintendent was the chief negotiator for the majority of school districts or at least served on the negotiating team for the board (OSBA, 1977 and Crewse, 1983).

Finally, there is an interesting, though somewhat dated, observation concerning the role of the superintendent: "The NEA reduces the superintendent to the go-between; the AASA sees the superintendent in a "dual" role; the NSBA (National School Boards Association) views him as a "channel or interpreter." None of these roles are

dynamic and they will result in destroying the effectiveness of the superintendent with his own staff, with the community, and ultimately with the school board" (Shils, 1968).

Whether the superintendent is involved in negotiations or not, the board must still decide who else is part of its negotiating team. In an Ohio doctoral dissertation (Crewse, 1983), the following were listed as serving on negotiating teams (in order of frequency---highest first): superintendents, building level administrators, central office staff, board members, and board attorneys.

One debate has been the use of outside negotiators. Some writers have opposed this concept (Sommers, 1985 and White, 1984) because it is costly and the negotiator's allegiance is not to the district.

Another debate concerning the composition of the negotiations team is the use of school principal. Some have stated that principals usually are not part of the team and are not even consulted (Epstein, 1965), and even go so far to state that the principal should be the chief spokesman because "he is more secure and knowledgeable" about the teachers than anyone else (Andree, 1970).

Finally, it has been stated that neither the board nor professional negotiators should be at the table. "Negotiations is the responsibility of the administrative

team..." (Whitmer, 1970). School board members should not sit at the bargaining table (Andree, 1971).

Since the board itself must determine who is on its negotiating team, it must, of course, decide whether its own members will be on the team. Several authors have stated reasons why board members should or should not be on their own negotiation teams (Ashby, 1972; Wildman, 1964; Leiberman, 1979; and Ross, 1982). The advantages and disadvantages mentioned by these writers were used in questions posed in this study.

METHOD

The American Association of School Administrators (AASA) was asked to independently select a random sample of 400 superintendents from all of the school superintendents in the United States (whether they were members of AASA or not).

A questionnaire was sent to those 400 superintendents, asking them questions about collective bargaining and questions for demographic purposes. A stamped, self-addressed return envelope was included with the questionnaire.

From the questionnaires which were sent, 246 were returned, representing 46 of the 50 states.

The questionnaire itself was a collaborative effort between the university researcher and an administrator in the national AASA office. Additional input into both the questionnaire and the analysis of results was obtained from other personnel at the University of Akron, Ohio.

The data collection and analysis took place in the winter and spring of 1989. The data which was obtained were analyzed on the computer at the university, using SPSSx and SAS statistical packages. Specifically, the data were subjected to frequency analysis and Pearson correlations. A .05 level of confidence was selected to test for statistical significance.

RESULTS

Demographic Results

Questionnaires were returned by superintendents representing 46 of the 50 states. 90 % of the respondents stated that their states had mandatory collective bargaining laws with 35.6% allowing legal teacher strikes. Only 21.2% of the superintendents said that their school districts had ever had a teacher strike and only 14.1% of the superintendents had ever been a superintendent during such a strike. The total years experience as a superintendent ranged from one year to 31 years for the respondents, and the school district size ranged from 57 students to 40,000

students, with the median at 1,475 students. The vast majority of school districts housed kindergarten through twelfth grade (85.9%), with 8.1% reporting K-8 systems, 2.5% high school districts, and 3.5% other configurations. The ages of the superintendents were as follows: 1% under age 35, 9.1% ages 35-40, 18.2% ages 41-45, 24.7% ages 46-50, 28.8% ages 51-55, 13.1% ages 56-60, and 5.1% over age 60. 91% were male.

Finally, the road to the superintendency seemed to go from teacher to either the principalship or a central office position, and then to the superintendent position. 43.8% held central office positions just prior to becoming a superintendent for the first time; 46.8% were principals just prior to their first superintendency.

Negotiating Team Composition

The superintendents were asked to detail the composition of their school board's negotiating team at the table. The results were as follows, stated in percentages responding to each category:

Board attorney (only)	2.0%
Hired negotiator (only)	4.0%
Superintendents (only)	6.1%
Other administrators (only)	10.6%
Committee of board members (only)	11.1%

The entire board (only)	0.5%
Combination of the above	65.7%
	100.0%

The superintendents were asked to name the chief spokesman for the school board at the table. The percentages were as follows:

A board member	27.6%
The superintendent	17.9%
A central office administrator	17.3%
A professional negotiator	21.9%
The school attorney	15.3%
A principal	0.0%
	100.0%

When superintendents were asked whether they felt they should be on the negotiating team (whether or not they were on it already), the results were inconclusive: 47.5% said they should be a member of the team, 40.5% stated they did not want to be on the team, and 11.6% had no opinion or said their opinion could change from year to year.

Two final questions dealing with the composition of the board's negotiating team asked superintendents the following: If the board insisted that you serve as the chief spokesman at the table and you could select only one other

person to serve with you, who would you select? And, who would you least like to serve with you at the table?

	First Choice		Last Choice
Board member	30.9%		39.0%
Principal	5.7%		27.0%
Central admin.	22.7%		8.8%
Other admin.	0.5%		3.8%
Professional negot.	17.5%		8.8%
School attorney	22.7%		9.4%
		Other	3.2%
	100.0%		100.0%

Research has indicated that certain factors are advantages for having board members serve on the board's negotiating team (Ashby, 1972, Wildman, 1964, Lieberman, 1979, and Ross, 1982). The superintendents were asked to what extent they agreed that these were advantages (expressed in percentage of superintendents who said they "agree" or "strongly agree" on a five point scale): 85.4% said (agreed or strongly agreed) that having a board member on the team allows the board member to hear teacher demands and feelings directly; 76.3% agreed that it provides direct communications to other board members; and, 69.2% agreed that it was an advantage because it increased the credibility of the negotiating team to have a board member on the team.

Similarly, there are factors, mentioned by the same authors, which are stated as disadvantages for having a board member on the board's negotiating team. The superintendents were asked whether they agreed that these factors were disadvantages. (Again, the percentages stated are the sum of "agree" and "strongly agree" as expressed by the responding superintendents): 67.2% said that a disadvantage was that it was very time consuming and may be hard to schedule meetings with a board member on the team; 61.1% said that it could hurt the board member's relationship with the teachers; 83.9% stated that a disadvantage was that board members may lack expertise in negotiations; only 41.9% said that the process might pit this board member against other board members not on the team; also, 41.9% felt it could weaken the other team members in the eyes of the teachers; and, 51.5% stated that having a board member on the team causes the board member to engage in an administrative function.

Superintendent's Role

Another question was asked in this questionnaire because it was also contained in a 1970 survey of superintendents (Caldwell, 1970). Superintendents were asked to pick the one most dominant role they had had in negotiations: 5.6% said they were non-participants in the process, 0% said they were advisors to the teachers'

organization only, 16.6% said they advised both the teachers organization and the school board, 46% were advisors to the board only, 15.1% had the role of board negotiator with limited authority, and 16.7% negotiated for the board with full authority. (A comparison with the 1970 data is shown in a later section.)

Situations Experienced in Negotiations

The final question asked the superintendents to what extent certain statements made by authors of negotiations textbook and other articles on negotiations actually occurred during the negotiations process. (The percentages listed indicate the superintendents' opinions that the statement made does occur "frequently" or "often" on a five point scale.) 19.3% stated that teachers' organizations have tried to dictate or influence who would be on the board's team or how many members the board's team should have; 76.1% said that if a board member served on the negotiations team, the teachers expect that member to automatically ratify the contract when the board member votes; 40.7% stated that, in their experience, teacher organizations have tried to cause conflict between the negotiator and the board in order to see to what extent the board supported the negotiator; 28.5% said that when board members negotiate, it places a strain on the relationship between them and the non-negotiating board members; 39.5%

said that teacher organizations have tried to bypass the board's negotiating team and go directly to the board to give them information or to get them to negotiate directly with them; and, 22.8% of the superintendents stated that sometimes a board member will vote against ratification for personal or political reasons and still hope that the rest of the board ratifies the contract.

Correlation With District Size

Pearson correlation coefficients were used to examine to what extent, if any, the variables correlated with each other. Below are the results.

Table 1

Comparison of Factors With District Size

Factors	Pearson r	Probability	Sig.
Comparison Between District Size (Students) and:			
whether the district had ever had a strike	0.05702	0.4261	NS
years of service as a superintendent	-0.03160	0.6593	NS

Table 1

continued

whether the superintendent served on the neg. team	-0.28494	0.0001	S
having a board member negotiate increased the credibility of the team	-0.32590	0.0001	S
having a board member negotiate provided direct communication to other board members	-0.28673	0.0001	S
having a board member negotiate allowed the board member to hear teacher demands directly	-0.23005	0.0013	S
having a board member negotiate was very time consuming and was hard to schedule	0.21458	0.0027	S
having a board member negotiate hurt his/her relationship with teachers	0.21704	0.0024	S
having board members negotiate was a disadvantage			

Table 1

continued

because they may lack expertise	0.11790	0.1016	NS
having a board member negotiate pit this board member against other board members	0.30457	0.0001	S
having a board member negotiate weakened other team members in the eyes of the teachers	0.25107	0.0004	S
having a board member negotiate caused the board member to engage in an administrative function	0.26538	0.0002	S
when a board member negotiated, it placed a strain between them and the non-negotiating board members	0.28469	0.0001	S
teacher organization tried to bypass the board's team and go directly to the			

Table 1

continued

board	0.17860	0.0132	S
whether the superintendent had ever been in a strike	0.14676	0.0396	S
the age of the superintendent	0.17414	0.0144	S

Note. A "yes" response was rated as "1"; a "no" as "0".

Table 2

Comparison of Factors With Strikes

Factors	Pearson r	Probability	Sig.
Comparison Between District Strikes and:			
having board members negotiate who lack experience	0.11389	0.1129	NS
having a board member negotiate in order to allow his/her to hear teacher demands directly	0.05137	0.4757	NS

Table 2

continued

having a board member negotiate was time comsuming and hard to schedule	-0.06890	0.3385	NS
having board members on the team caused teacher organization to bypass the board's neg. team and go directly to the board to negotiate	0.21403	0.0028	S
having the school attorney on the board's negotiating team	0.15089	0.0348	S

Table 3

Comparison of Factors With Superintendent Service

Factors	Pearson r	Probability	Sig.
Comparison Between the Length of Service of the Superintendent and:			
whether the superintendent			

felt he should be on the negotiating team	-0.16987	0.0176	S
whether teacher organizations tried to cause conflict between the negotiator and the board	-0.14717	0.0416	S

CONCLUSIONS AND IMPLICATIONS

Composition of the Board's Negotiating Team

The vast majority of school districts used a combination of board members, administrators, and outside professional help rather than have one person (or one category) do the negotiating. It is interesting to see the data on this question as compared to the identical question posed in a 1970 study (Caldwell, 1970):

Who negotiates for the board?

	1970	1989
Board attorney (only)	3.0%	2.0%
Hired negotiator (only)	5.0%	4.0%
Superintendent (only)	1.0%	6.1%
Other administrators (only)	1.0%	10.6%
Committee of board members (only)	45.0%	11.1%
Entire board (only)	9.0%	0.5%

Combination of the above (only)	37.0%	65.7%
	101.0%	100.0%

While there was not much change in the use of a professional negotiator or attorney as the sole negotiator, there was an increase in the use of administrators and in the team approach, and a decrease in having board members negotiate by themselves. This data should not be interpreted to say that board members did not participate in negotiations. The response to another question stated that nearly 63% of the superintendents said that their board members were on the negotiating team. Obviously, they were joined by other administrators, and in some cases, professional negotiators to form a team.

There are some conclusions and implications which can be drawn from the correlations presented in the Results section:

While the superintendents of larger districts felt that having a board member on the negotiating team helped increase the credibility of the team, provided direct communication to other board members, and allowed board members to hear faculty demands directly, superintendents of smaller districts did not share this view.

On the other hand, as the size of the district increased, superintendents perceived certain disadvantages

for having a board member on the negotiating team: it was time consuming; it hurt the board member's relationships with teachers; it pitted this board member against other board members; it weakened other team members in the eyes of the teachers; and, it caused the board member to engage in an administrative function.

Also, as district size increased, having board members negotiate placed a strain on the relationships between them and the non-negotiating board members, and, importantly, the teacher organizations tried to bypass the board's negotiating team and go directly to the board.

If the superintendents' perceptions are accurate, we may want to suggest to superintendents of smaller districts to encourage their board members to become involved in negotiations, and discourage board members to serve on negotiating teams in larger districts.

As the number of students increased, the more likely principals, central office personnel, and other administrators were on the negotiating team and the less likely that board members and superintendents were on the team. Size of the district seems to be a variable diffusing this responsibility. The superintendent and the board tried to avoid negotiations responsibility in larger districts. Also, in larger districts, the superintendents themselves said that they should not be on the negotiating teams.

The Superintendent's Role in Negotiations

There is a debate over whether a superintendent should be at the negotiating table. Proponents quoted earlier said that the superintendent, as the CEO, should be a part of this important, administrative process. Others said that the superintendent's participation can damage the relationship he/she has with the teachers and reduce the effectiveness in working in areas like curriculum and evaluation. So, this study asked the superintendents whether they felt they should be on the team, and if they were, who would they like most (and least) to serve on the team with them.

As stated earlier, 47.5% said they SHOULD be a member of the negotiating team with 40.9% saying they should not. The remainder had no opinion on this question. Obviously, superintendents are divided on this question.

When asked what one person the superintendent would pick to serve with him/her on the team, 30.9% said a "board member," followed by the school attorney and a central office administrator tied with 22.7%. Professional negotiators were selected by 17.5% of the superintendents. Only 5.7% suggested that a principal should be on the team with them.

It is interesting to note that the category the superintendent wanted LEAST at the table with him/her was

also "board member" (39%). Apparently, superintendents have specific members in mind when they both select and reject board members to serve with them. Principals came in second as the least desirable to accompany the superintendent to the negotiating table (27%).

One possible reason for the rejection of the principals is that some superintendents do not want the principals to jeopardize their relationship with their teachers. Board members and central office personnel are further removed from the building faculty and less likely to have the type of relationships with teachers that principals have.

Another question, also in the Caldwell 1970 survey, asked superintendents to pick the role they have in negotiations. Note the changes from the earlier study.

	1970	1989
Non-participant in negotiations	0.4%	5.6%
Advisor to teachers' organization only	0.0%	0.0%
Advisor to both teachers' organization and to the board of education	43.4%	16.6%
Advisor to the board only	19.1%	46.0%
Negotiator for the board with limited authority	31.5%	15.1%
Negotiator for the board with		

full authority	5.6%	16.7%
	100.0%	100.0%

It should not be surprising that superintendents no longer "serve two masters," advising both teachers' organizations and the board. Also, as negotiations have become more complicated, more superintendents have been given full authority to negotiate for the board. An interesting statistic is that more superintendents are non-participants than in the past, possibly because negotiations have become more militant.

Some conclusions and implications which can be drawn from the correlation results are as follows:

There was a significant negative relationship between the length of service of a superintendent and whether the superintendent felt he should be on the negotiating team. That is, the more years he had been a superintendent, the less likely he wanted to be on the negotiating team. It can be interpreted that superintendents delegated responsibility more as they gained experience or learned that security was better protected by avoiding negotiations.

There was a significant negative relationship between a superintendent's years of experience and whether teacher organizations tried to cause conflict between the negotiator and the board. An implication may be that superintendents

learned to be careful about his conflict as they gained experience.

There was no significant relationship between years of service as a superintendent and district size. Yet, there was a relationship between the superintendent's age and the size of the district. An implication may be that when boards select a superintendent for a larger district, the boards seem to perceive maturity as more important than experience.

Negotiations and Strikes

Of the responses received, 82% of the superintendents had districts which negotiated with the teachers. Of those who negotiated, 90.3% are mandated to do so by state law. On the other hand, of those who do not negotiate, 35% said they <u>had</u> a state bargaining law.

In spite of all the strikes we hear about and all the workshops held and literature written about strikes, 78.8% of the school districts had NEVER had a strike according to the superintendents, and 85.9% of the responding superintendents had never been a superintendent during a strike.

The following can be stated from the correlation study:

There was no significant linear relationship between the size of the school district and whether it had had a strike. Thus, larger districts did not necessarily have more strikes than smaller ones.

There was a significant curvilinear relationship only when the size of the district was over 15,000, the maximum likelihood of a strike. (More precisely, the maximum point at which strikes occurred was in districts of 15,725.)

There was a significant relationship between districts on strike and having had a school attorney on the negotiating team. This could be interpreted to say that districts who anticipated a strike tended to want attorneys on the negotiating teams.

There was a significant relationship between districts having strikes and the teachers' organizations bypassing the board's negotiating team and going directly to the board. And, as the districts increased in size, the greater was the extent that the teacher organizations bypassed the negotiating teams. An implication may be that boards, especially in larger districts, should try to avoid letting the teacher organizations bypass their team and go directly to the full board.

Finally, there was no significant relationship between district strikes and having board members who lacked negotiating expertise serve on the negotiating team. And,

there was no significant relationship between strikes and having had a board member on the negotiating team in order to hear teacher demands directly. (This should not be confused with "teachers bypassing the negotiating team.")

This goes somewhat counter to conventional thinking: One would think that having a board member with no expertise on the negotiating team would be related to strikes. It was not. Also, if board members on the negotiating team had a hard time scheduling negotiation sessions, this might be related to strikes. It was not. And, it is interesting that strikes were not related to board members on the negotiating teams hearing teacher demands and feelings directly. However, strikes are related to teacher organizatins bypassing the negotiating team in order to go directly to the full board of education.

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